

## Yeas—18

Aikin	Moore
Ashley	Owen
Corbin	Roberts
Fly	Rogers
Hazlewood	of Childress
Kazen	Rogers of Travis
Latimer	Secrest
Martin	Strauss
McDonald	Willis
Moffett	

## Nays—9

Bracewell	Phillips
Hardeman	Ratliff
Kelley	Shireman
Lock	Weinert
Parkhouse	

## Absent

Colson

## Absent—Excused

Fuller	Wagonseller
Lane	

## Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 2, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

S. B. No. 64, A bill to be entitled "An Act amending Sections 1, 3, and 4 of Chapter 302 of the Acts of the 52nd Legislature, 1951, as amended, to make the Act applicable to counties of five hundred thousand (500,000) or more population, and declaring an emergency." With amendment.

S. B. No. 192, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Montgomery County, authorizing the county to issue certificates of indebtedness for the purpose of acquiring right of way for designated state highways or federal highways when the acquisition of such right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; en-

acting other provisions relating to the subject; and declaring an emergency."

Respectfully submitted,

DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

## Senate Resolution 96

Senator Ashley offered the following resolution:

Whereas, We are honored today to have in the gallery the Senior Government Class of Uvalde High School, accompanied by Mrs. Bertie Chinn and Mrs. L. L. Hutchings; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, This fine class of young American citizens is here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome this class and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to them in recognition of their visit.

The resolution was read and was adopted.

Senator Ashley, by unanimous consent, presented the students and Mrs. Chinn and Mrs. Hutchings to the Members of the Senate.

## Adjournment

On motion of Senator Weinert, the Senate at 11:52 o'clock a. m. adjourned until 10:30 o'clock a. m. tomorrow.

## TWENTY-SEVENTH DAY

(Thursday, March 3, 1955)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present:

Aikin	Latimer
Ashley	Lock
Bracewell	Martin
Colson	McDonald
Fly	Moffett
Hardeman	Moore
Hazlewood	Owen
Kazen	Parkhouse
Kelley	Ratliff

Roberts	Shireman
Rogers	Weinert
of Childress	Willis
Rogers of Travis	

Absent

Phillips

Absent—Excused

Corbin	Secrest
Fuller	Strauss
Lane	Wagonseller

A quorum was announced present.

Reverend W. H. Townsend, Chaplain, offered the invocation as follows:

"Our Father, the wind bloweth where it listeth, we hear its sound, but cannot tell whence it cometh and whither it goeth; so is everyone that is born of the spirit. Teach us that there are natural laws in the spirit world. These may be denied but not revoked; ignored but never escaped; 'for whatsoever a man soweth, that shall he also reap.' We pray in Christ's name. Amen."

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal was approved.

#### Leaves of Absence

Senator Strauss was granted leave of absence for today on account of important business on motion of Senator Moffett.

Senator Secrest was granted leave of absence for today on account of important business on motion of Senator Bracewell.

Senator Corbin was granted leave of absence for today on account of important business on motion of Senator Moore.

(Senator Weinert in the Chair.)

#### Reports of Standing Committees

Senator Hardeman submitted the following reports for Senator Secrest:

Austin, Texas,  
March 2, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 227, have had the same under consideration, and we are in-

structed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman.

Austin, Texas,  
March 2, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred S. B. No. 175, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SECREST, Vice-Chairman.

Senator Hardeman submitted the following reports:

Austin, Texas,  
March 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 185, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
March 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 207, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Austin, Texas,  
March 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred S. B. No. 254, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HARDEMAN, Chairman.

Senator Colson submitted the following report:

Austin, Texas,  
March 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Education, to whom was referred S. B. No. 86, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

COLSON, Chairman.

Senator Latimer submitted the following report:

Austin, Texas,  
March 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Constitutional Amendments, to whom was referred S. J. R. No. 4, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

LATIMER, Vice-Chairman.

#### Senate Bills on First Reading

The following Senate bills were introduced, read the first time and referred to the committees indicated:

By Senator Aikin:

S. B. No. 282, A bill to be entitled "An Act amending Article 2911 of the Revised Civil Statutes of Texas; to provide for exemptions therefrom when in conflict with certain religious teachings; and declaring an emergency."

To the Committee on Educational Affairs.

By Senator Parkhouse:

S. B. No. 283, A bill to be entitled "An Act amending Section 2 of House Bill 862, Chapter 311, Acts, Fifty-first Legislature, Regular Session, authorizing the appointment of a Purchasing Agent and prescribing his duties and salary; prescribing the mode, manner and method by which supplies, materials, equipment and machinery may be purchased, and making it a misdemeanor and a violation of the law, and fixing a penalty for violation of the provisions relative thereto; and declaring an emergency."

To the Committee on Counties and County Boundaries.

By Senator Moore:

S. B. No. 284, A bill to be entitled "An Act providing for the form and contents of accident and sickness insurance policies issued in this State; defining certain terms for the purpose of this act; declaring this act to be applicable to life, health and accident companies, mutual life insurance companies, fraternal benefit societies, mutual assessment life insurance companies, local mutual aid associations, mutual or natural premium life or casualty insurance companies, general casualty companies, Lloyds, reciprocal or inter-insurance exchanges or any other insurer which by law is required to be licensed by the Board of Insurance Commissioners; excepting certain exempt societies and companies from the provisions of this act; providing procedure for filing policy forms, making certain provisions relative to the application for insurance; declaring that an insurer does not waive defense to any claim by acknowledging receipt of notice or furnishing claim forms; making certain provisions relative to the effect of age limits in policies; declaring this act to be inapplicable to certain policies; providing penalties for violation of the provisions of this act; repealing all laws in conflict herewith; declaring the provisions of this act to be severable and declaring an emergency."

To the Committee on Insurance.

By Senator Hazlewood:

S. B. No. 285, A bill to be entitled "An Act relating to unlawful operation of motor vehicles by minors; amending Section 1 of Chapter 436, Acts of the 52nd Legislature, 1951, repealing Section 3 of said Chapter 436, Acts of the 52nd Legislature, 1951; and declaring an emergency."

To the Committee on Criminal Jurisprudence.

By Senator Lock:

S. B. No. 286, A bill to be entitled "An Act to amend the subject matter embraced in Section 3, Section 4, and Section 5 of the Texas Unemployment Compensation Act, as amended, (Senate Bill No. 5, Chapter 482, General and Special Laws of the Forty-fourth Legislature, Third Called Session, 1936, as amended), providing for the payment of benefits; providing benefit eligibility conditions; providing disqualification for benefits; providing for an effective date of this Act and its sections; providing for the repeal of all laws and parts of laws in con-

flict herewith; providing for the separability of provisions; and declaring an emergency."

To the Committee on State Affairs.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
March 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following:

H. C. R. 24, Instructing the Texas Education Agency to coordinate and complete studies now under way by the Texas Research League and the County Superintendent's Association and other interested groups, and to recommend to the Fifty-fifth Legislature specific legislation describing the future role of county school superintendents and ex officio county school superintendents, etc.

H. C. R. 42, In memory of W. A. "Cap" Williamson.

H. B. No. 11, A bill to be entitled "An Act requiring approval by the Texas Water Commission of certain federal projects affecting surface waters of the State of Texas; defining terms; requiring the Governor to submit to the Commission all engineering plans for a federal project when executive approval thereof is sought; providing for public hearings to be held and notice thereof issued and published; providing for the Commission to determine if a federal project is feasible and setting standards for such determination; requiring disapproval by the Commission of unfeasible projects; authorizing the Governor to either approve or disapprove such project after a finding of feasibility; repealing all conflicting laws; providing a savings clause; and declaring an emergency."

H. B. No. 27, A bill to be entitled "An Act requiring every water district, created pursuant to the Constitution of Texas, to file with the Texas Water Commission a certified copy of the Act or order creating same or altering its boundaries, as well as such information necessary to maintain an up-to-date list of its officers; requiring the Commission to file such information for public inspection; providing penalties for violation; repealing all con-

flicting laws; providing a savings clause; and declaring an emergency."

H. B. No. 164, A bill to be entitled "An Act validating orders entered by County Judges declaring the inhabitants of certain cities, towns or villages incorporated, setting forth the boundaries thereof and the mayor and aldermen of such cities, towns or villages; validating the corporate existence of such cities, towns or villages and elections heretofore held for the election of officials and the authorization of bonds, and other proceedings relating to the issuance of such bonds; providing that the officials named in such order constituted the officials of such city; enacting other provisions relating to the subject; and declaring an emergency."

H. B. No. 78, A bill to be entitled "An Act providing the qualifications for jurors in the State of Texas; providing certain exemptions from jury service; authorizing the separation of juries before the verdict in the discretion of the Court in all cases not capital; authorizing the separation of juries before the verdict in the discretion of the Court in all capital cases wherein the State has indicated that the death penalty will not be requested; authorizing and directing the maintenance of separate jury rooms for male and female jurors, and permitting the housing of female jurors in separate facilities from male jurors in all cases where the juries must be kept together overnight; amending Articles 2133 and 2135, Revised Civil Statutes of Texas; amending Articles 623, 668, 670, Code of Criminal Procedure of the State of Texas; repealing Article 2136, Revised Civil Statutes of Texas; containing a severability clause; repealing all laws or parts of laws in conflict herewith; and declaring an emergency."

H. J. R. 17, Proposing an amendment to the Constitution of the State of Texas and providing for regulations on certain loans, amending Article XVI, Section 11 and fixing the rate of interest.

Respectfully submitted,  
DOROTHY HALLMAN,  
Chief Clerk, House of Representatives.

#### Senate Resolution 97

Senator Parkhouse offered the following resolution:

Whereas, Jerome K. Crossman, dynamic Dallas business man and civic leader, has been awarded the 1954 Linz Award for outstanding civic service to his community; and

Whereas, He became the twenty-sixth Dallas citizen to be selected to receive this high honor, symbolic of the highest achievement in Dallas community service; and

Whereas, He received the 1954 Press Club of Dallas Award for significant contributions to the communities, and has done outstanding work in the Dallas Citizens Interracial Association, the National Conference of Christians and Jews, the Dallas Chamber of Commerce, the Dallas Crime Commission, the Dallas Citizens Council, the Greater Dallas Planning Council, the Citizens Charter Association, the Dallas Symphony Orchestra, and many other civic organizations; and

Whereas, His volunteer efforts for humanitarian causes, such as the Dallas School for Blind Children, the Dallas Child Guidance Associations, the Red Cross, the Dallas Mental Health Society, the Dallas Health Museum, the Dallas Council on World Affairs, and was on the board of directors of the Children's Development Center of Dallas; and

Whereas, His continuing services for every movement for the betterment of Dallas religious, educational, welfare, and business, surely entitles him to this high honor; and because this fine Texan is not only a leader in many worthy projects for the advancement of his city, county, and State, and has many times proved his value as a worker in the ranks of such enterprises; now, therefore, be it

Resolved, That this outstanding Texan be fittingly recognized by his fellow Texan, and that the Senate of the 54th Texas Legislature extend our congratulations to Jerome K. Crossman, on being selected the outstanding citizen of Dallas for the year 1954, and that this resolution be printed in today's Journal and a copy of same be transmitted to him.

The resolution was read and was adopted.

#### Senate Resolution 98

Senator Latimer offered the following resolution:

Whereas, Approximately one thou-

sand students of San Antonio's Catholic schools are visiting in the State Capitol this day; and

Whereas, These students and guests are on an educational tour of the Capitol Building and the Capital City; and

Whereas, These fine young American citizens are here to observe and learn firsthand the workings of their State Government; now, therefore, be it

Resolved, That we officially recognize and welcome these students and commend them for their interest, and that a copy of this resolution, properly endorsed, bearing the official seal of the Senate, be mailed to Mrs. M. C. Maese, civic activities chairman of the Catholic Parent-Teacher Federation, in recognition of their visit.

The resolution was read and was adopted.

#### Senate Resolution 99

Senator Roberts offered the following resolution:

Whereas, We are honored today to have as visitors in the Senate the basketball team and Coach Carter E. Massey of Plano High School, Plano, Texas, and Mr. and Mrs. Charlie Christie, also of Plano; and

Whereas, We desire to welcome these distinguished visitors to the Capitol Building and Capital City; now, therefore, be it

Resolved, That their presence be recognized by the Senate of Texas and that they be extended the official welcome of the Senate.

The resolution was read and was adopted.

Senator Roberts by unanimous consent presented the guests to the Members of the Senate.

#### Message from the Governor

The presiding officer laid before the Senate and directed the Reading Clerk to read the following message received from the Governor today:

Austin, Texas,  
March 3, 1955.

To the Members of the Fifty-fourth Legislature:

Complying with the request contained in House Concurrent Resolu-

tion No. 36, I am returning herewith House Bill No. 151.

Respectfully submitted,  
ALLAN SHIVERS,  
Governor of Texas.

#### Motion to Place House Concurrent Resolution 27 on Second Reading

Senator Ashley moved that Senate Rule 116 and Section 5 of Article III of the State Constitution be suspended and that H. C. R. No. 27 be taken up for consideration at this time.

The motion was lost by the following vote (not receiving four-fifths vote of the Members of the Senate):

#### Yeas—24

Aikin	Moffett
Ashley	Moore
Bracewell	Owen
Colson	Parkhouse
Fly	Ratliff
Hardeman	Roberts
Hazlewood	Rogers
Kazen	of Childress
Kelley	Rogers of Travis
Latimer	Shireman
Lock	Weinert
Martin	Willis
McDonald	

#### Absent

Phillips

#### Absent—Excused

Corbin	Secrest
Fuller	Strauss
Lane	Wagonseller

#### House Concurrent Resolution 42 on Second Reading

On motion of Senator Latimer, and by unanimous consent, the Presiding Officer laid before the Senate on its second reading the following resolution:

H. C. R. No. 42, In memory of W. A. "Cap" Williamson.

The resolution was read.

On motion of Senator Latimer the names of the Lieutenant Governor and all the Senators were added to the resolution as signers thereof.

The resolution was then adopted by a rising vote of the Senate.

#### Co-author of Senate Joint Resolution No. 4

On motion of Senator Willis, and by unanimous consent, Senator Lock

will be shown as co-author of S. J. R. No. 4.

#### Report of Standing Committee

By unanimous consent, Senator Fly submitted the following report:

Austin, Texas,  
March 3, 1955.

Hon. Ben Ramsey, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred S. B. No. 283, have had the same under consideration, and we are instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FLY, Chairman

#### Senate Bill No. 283 Ordered Not Printed

On motion of Senator Parkhouse, and by unanimous consent, S. B. No. 283 was ordered not printed.

(President Pro Tempore in the Chair.)

#### Bill Signed

The President Pro Tempore signed in the presence of the Senate, after the caption had been read, the following enrolled bill:

S. B. No. 192, A bill to be entitled "An Act constituting a local law for the maintenance of the public roads and highways in Montgomery County, authorizing the county to issue certificates of indebtedness for the purpose of acquiring right of way for designated state highways or federal highways when the acquisition of such right of way is approved by the State Highway Commission; requiring the levy of a tax to pay such certificates and the interest thereon; requiring such certificates to be approved by the Attorney General and registered by the Comptroller of Public Accounts and prescribing the effect thereof; enacting other provisions relating to the subject; and declaring an emergency."

#### Adjournment

On motion of Senator Hardeman the Senate at 11:44 o'clock a. m. adjourned until 10:30 o'clock a. m. on Monday, March 7, 1955.

#### Record of Vote

Senator Willis asked to be recorded as voting "nay" on the motion to adjourn.